

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- x

ALEXANDER RILEY,

Plaintiff,

-against-

10 CV 2513 (ENV) (RML)

THE CITY OF NEW YORK, DETECTIVE JOSEPH  
DESANTIS, shield # 19480, DETECTIVE WILMAR  
MEJIA, shield # 3154, UNDERCOVER OFFICER #  
27598, SERGEANT ROBERT FERNANDEZ, shield #  
3147,

Defendants.

----- x

**DECLARATION OF RICHARD J.  
CARDINALE IN SUPPORT OF  
MOTION TO BE RELIEVED AS  
COUNSEL OF RECORD FOR  
PLAINTIFF**

I, RICHARD J. CARDINALE, declare under penalty of perjury, pursuant  
to 28 U.S.C. §1746, that the following is true and correct:

1. This is a civil rights action alleging police misconduct by the City  
of New York and several of its police officers. I submit this declaration in support of my  
motion for an order, pursuant to Local Civil Rule 1.4, relieving me as counsel of record  
for plaintiff.

2. On January 28, 2011, I received a letter from plaintiff, who is  
presently incarcerated at Great Meadow Correctional Facility, informing me that my  
services were no longer needed.

3. In light of the fact that plaintiff has terminated me, I request that  
Your Honor relieve me as counsel of record for plaintiff.

4. Because plaintiff fired me without cause, and because I did a substantial amount of work in this case, I will make a motion after plaintiff retains new counsel requesting a charging lien pursuant to New York Judiciary Law § 475. *See Universal Acupuncture Pain Services v. Quadrino & Schwartz, P.C.*, 370 F.3d 259, 263 (2d Cir. 2004) (If a lawyer is “discharged without cause he or she may recover either (1) in *quantum meruit*, the fair and reasonable value of the services rendered, or (2) a contingent portion of the former client’s ultimate recovery, but only if both of the parties have so agreed.”).

5. I am sending a copy of this motion to plaintiff by regular mail.

Dated: January 28, 2011  
Brooklyn, New York

s/

---

RICHARD J. CARDINALE  
Attorney at Law  
26 Court Street, Suite 1815  
Brooklyn, New York 11242  
(718) 624-9391